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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Attorney Docket No.:

First Named Inventor: David S. Dunning

Application No.: 09/749,270

Art Unit: 2634

Filed: December 27, 2000

Examiner: Lawrence B. Williams

Title: Method and Apparatus for Receiving Data Based on Tracking Zero Crossings

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity – fee \$1500 (37 CFR 1.17(m)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of submission of corrected drawings (identify type of reply);

☐ has been filed previously on _____.

☒ is enclosed herewith.

B. The issue fee of \$ _____.

☒ has been paid previously on 8/9/2005.

☐ is enclosed herewith.

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1500.00 OP

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$__ for a small entity or \$__ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. (NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

5/2/06
Date

[Signature]
Signature

Telephone
Number: (408) 720-8300

Michael J. Mallie
Typed or printed name

36,591
Reg. No.

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: Submission of formal drawings

1279 OAKMEAD PKWY, SUNNYVALE, CA 94085
Address

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

5/2/06
Date

[Signature]
Signature
Joyce Klein
Typed or printed name of person signing certificate



Attorney Docket No. 42390.P9456

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

David S. Dunning, et al

Application No.: 09/749,270

Filed: December 27, 2000

For: METHOD AND APPARATUS FOR
RECEIVING DATA BASED ON TRACKING
ZERO CROSSING

Examiner: Lawrence B. Williams

Art Unit: 2634

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT

ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.316

Dear Examiner:

Applicant hereby petitions to revive the above-noted abandoned patent application. This application became abandoned on March 17, 2006.

The delay in submitting corrected drawings was unintentional. Enclosed is a check in the amount of \$1500.00 for payment of fees for the Petition to Revive Unintentionally Abandoned Patent Application under 37 C.F.R. 1.17(m).


Applicant hereby petitions that the submission of formal drawings be accepted and petitions to revive the above-noted abandoned patent application.

Please charge any shortages or credit any overages to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 5/2/06

By: 
Michael J. Mallie
Reg. No. 36,591

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300



FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 1,500.00

Complete if Known

Application Number	09/749,270
Filing Date	December 27, 2000
First Named Inventor	David S. Dunning
Examiner Name	Lawrence B. Williams
Art Unit	2634
Attorney Docket No.	42390P9456

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) ☒ Credit any overpayments
under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) Petition for Revival of Abandoned Application fee					1,500.00
SUBTOTAL (2)				(\$)	1,500.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Michael J. Mallie	Registration No. (Attorney/Agent)	36,591	Telephone	(408) 720-8300
Signature		Date			